

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

GRAHAM - FIELD, INC., et al

Plaintiffs

Vs

E1 Enterprises, Inc., et. al.

Defendant

CIVIL NO. 98-1306 (DRD)

CIVIL ACTION

sanctioned

INFORMATIVE MOTION

TO THE HONORABLE COURT:

COMES NOW defendant E1 ENTERPRISES, INC., (“E1”), represented by the undersigned attorney, and most respectfully STATES, ALLEGES and PRAYS:

1. The parties have reached a settlement in the instant case. In essence, E1 has agreed to pay plaintiffs \$60,000. Payment will be made in two equal installments of \$30,000. E1 also agreed that the \$10,000 held in sanctions by the Court be paid directly to plaintiffs as additional consideration.
2. The undersigned attorney is preparing the settlement agreement. Plaintiffs’ counsel has advised the undersigned that the settlement must also be approved by the bankruptcy judge.
3. E1 will make the first \$30,000 payment 10 days after notice is given to the undersigned that the bankruptcy judge has approved the settlement. The second \$30,000 installment will be made 4 months thereafter.
4. In the unlikely event that E1 does not make the second installment as scheduled, E1

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agrees to a default judgment of \$150,000.

5. In consideration of the above, Plaintiffs will voluntarily dismiss its complaint against all defendants.
6. As soon as the bankruptcy judge grants its approval to the settlement, the parties will file a joint motion to voluntarily dismiss pursuant to Rule 41(a)(1)(ii).

WHEREFORE, we respectfully pray from this Honorable Court to TAKE NOTICE of the above mentioned facts.

I HEREBY CERTIFY that, on this same date, a true copy of this document has been sent to Mr. Kenneth J. Mc Culloch via the Court's CM/ECF system.

RESPECTFULLY SUBMITTED.

In Hato Rey, Puerto Rico, February 17, 2005.

/S/ Ignacio Fernandez de Lahongrais
IGNACIO FERNANDEZ DE LAHONGRAIS
USDC - PR 211603
Capital Center Sur, Suite 202
Avenida Arterial Hostos #239
Hato Rey, Puerto Rico 00918-1475
Tel. 758-5789 Fax 754-7504